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REVIEWS AND BOOK NOTICES.

Studies in Magic from Latin Literature, by EUGENE TAVENNER.
New York, Columbia University Press, 1916.

In this Columbia University dissertation the author proposes "to furnish a general introduction to Roman magic, especially as reflected in Latin literature and to add a chapter on Roman prophylactic magic." To this he promises, later, to add chapters on various phases of the same subject.

To him who is not a specialist in classical folk-lore undoubtedly the first part which contains the conclusions drawn by the author from the mass of materials at his disposal will prove the most interesting. It is also the most controversial.

Professor Tavenner starts with a definition of the words *μάγος*, *μαγεία*, *magus*, *magicus*. In a brief survey of the Greek passages in which the words occur he reaches the conclusion, which is true, though not new, that there were priestly Persian magi who accompanied Xerxes into Greece under their leader Osthanes, and who, on account of their connection with the archenemy of the Greeks, were reduced in the estimation of the Hellenes to the position of rascals and tricksters. As such they were known throughout the fifth and fourth centuries before our era, both in literature and in popular conception. The development in the meaning of the Greek words is reflected in Latin, where, however, the philosophical connotation of *magus* is much more limited in usage, and the popular conception far more preponderant.

The author then turns to the definition of *magic*. This he bases chiefly on the well-known opening paragraph of Pliny, N. H. XXX, Apuleius, Apol. 26, and Ps.-Quintilian, Decl. Maior 10, 15 and 19. From these passages he defines the Roman conception of magic as a compound of elements drawn from medicine, religion and astrology, with which man attempted to control the gods and thereby the phenomena of nature in accordance with his own selfish desires. Professor Tavenner correctly compares this definition with that of modern students of magic. He then proceeds to distinguish magic as "unorganized scientific interpretation" from science proper, also from astrology, superstition and religion. In all this, it cannot be said that he adds any new contribution to existing knowledge. It is here, too, that I must beg to differ from him on principle. He considers magic as "the active practice of

controlling natural phenomena by preternatural means" and superstition as "the passive belief per se without any practical side." Yet as far as I can command a bird's-eye view of the field of superstition, it has always for its complement the practice of certain rites to obtain certain effects, an idea which years ago I attempted to define as "die Vorstellung vom Uebersinnlichen und seine Kultuebung (Pauly-Wissowa, I, 29, 3 foll.). I still see the difference between magic and superstition in this, that magic is (a) a foreign (chiefly oriental) importation; (b) is systematized as a "discipline"; (c) is aggressive, i. e., wants to compel transcendental powers to do the bidding of man. Superstition, on the other hand, is defensive and wishes to ward off the evil influence of transcendental powers. A similar view, it seems to me, is expressed in the fundamental investigations of Messrs. Hubert and Mauss in *L'Année Sociologique* VII, 1. In the *Lexikon der griechischen und roemischen Religion*, the publication of which has unfortunately been stopped by the war, I said that "Superstition is that field of religious thought which has been eliminated from the living practice of religion and which is no longer felt as universally valid in the consciousness of human society," and "no more than there can exist a religion of mere faith without a common cult ritual, no more does there exist a *mere* superstitious belief without its practical expression in 'Zauber'". In the same article I called attention to the fact that it is a misnomer to name this practice *magic*, because such use of the word is historically incorrect. Tavenner, with others, follows the usage of J. G. Frazer and his school, which seems to have spread very largely among anthropologists, but against which especially the classical scholar is bound to protest. If it were not for this loose use of the word, Tavenner would not, in his paragraph of the legal aspect of magic, quote the Twelve Tables as forbidding magic. Nor would he have spoken of the existence of a nameless kind of magic characteristic of the rural districts. For all of this is merely the practical application of popular religious and superstitious beliefs in "Zauber". Unfortunately our author applies this confusion between the foreign magic and the native superstitious practices also to the Pliny passage mentioned above, to which he has devoted his whole ninth paragraph. Pliny evidently followed in his discussion of the history of magic a Greek source for the development of non-Roman magic, while for Rome he must have added the investigations of some compatriot, perhaps Nigidius Figulus. It is precisely here that Tavenner commits his gravest error, in failing to distinguish between ancient popular beliefs and imported magical prescriptions. Professor Kirby Flower Smith in his article on Magic in Hastings' Encyclopedia has seen

much more clearly, when he uses the same passage to prove that everything which was contrary to the accepted state rituals was considered magic and was therefore punished by law. Tavenner misinterprets the words of Pliny when he says that "within thirty years (480-451) Persian magic must have attained a firm hold on Greece and then made its way to Italy". Pliny does not say at all what Tavenner makes him say, but simply states that there were also magical (and superstitious) practices in older Italy. As a fact, the first date given by Pliny for action against foreign magic is the law of 97 B. C. It is illuminating to notice here the great confusion and at the same time the superficiality with which Professor Tavenner treats all the details of this passage. Why should a Columbia University student quote for Zoroaster the International Encyclopedia instead of Professor Jackson? Nor do the instances which Mr. Tavenner adduces from Homer disprove Pliny's statement that the *Iliad* is comparatively free from magic. Finally, it does not seem as if Circe could be used to prove that Italy was the home of magic even in early tradition. For that the island of Aiaia is in the West, near Italy and that Circeii was called so because it is the home of Circe is so evidently later, Alexandrian, figment that one is surprised at the naïveté of Tavenner's argument. Why, furthermore, does the magic knowledge ascribed by Vergil to the Massylvian priestess prove anything as to the existence of magic in Italy? Finally, the taboos and other rites of Roman religion discussed by Tavenner (p. 25), while they may be called magic in Frazer's sense, were certainly not such to the Romans, as both Smith (l. c.) and myself (*Trans. Am. Phil. Ass.* 1895) have sufficiently shown.

The tenth chapter is devoted to a survey of the attitude of Latin authors toward magic. The discussion is very interesting, but unfortunately little in it is new, and part of it is utterly futile. Tavenner himself begins with the statement that literary men and the cultured classes were possessed by a rage for everything Greek. Had he only followed this lead, instead of excluding almost all references to Greek influence (on the impossibility of distinguishing Roman and Greek in magic see Smith in Hastings, who perhaps goes too far in the other direction)! Here we also meet with a number of surprising allegations for which I can see no foundation of fact. Varro's work on agriculture and Columella's book on the same topic are both said to be comparatively free from magic belief. Yet in my by no means exhaustive collection in Pauly-Wissowa, I quoted Varro 18 times and Columella 94 times! Especially unsatisfactory is the treatment of the lyric and elegiac poets, remarkably so since the author might have availed himself of the excellent notes in Smith's edition of Tibullus. How imperfect his investigation has been can best be shown by comparing his re-

marks with those of Smith in the Hastings article. He thinks these poets of small value for his survey, yet he cannot fail to give great weight to Catullus and Tibullus. Now it must be clear to every student of ancient superstitions—and Smith has not failed to call attention to it—that all these poets repeat again and again the same items, so that we may well speak of an “apparatus magicus” which they uniformly employ and the existence of which has long led me to suspect that there must have been a handbook of magical actions for poetical use, just as Ovid found a handbook of metamorphoses ready to hand in Nicander’s work. In this part, more than anywhere else, we feel how much Tavenner has been handicapped by his exclusion of Greek material from the scope of his dissertation.

No less unsatisfactory is the paragraph on the Roman satirists. The one longer passage from Lucilius (p. 38, n. 198), in which the poet voices his contempt for the figments of Fauni and Numae, can hardly be said to deal with magic, since it refers merely to *terrificulae* (night terrors?) and *Lamia*, the spook of the nursery. Why Lucilius, the *eques Romanus*, *as such*, should be expected to be superior to popular belief (p. 38), it is hard to understand. Rather, it seems to me, it is Lucilius, the rationalist and member of the Scipionic circle, who, under the influence of Greek culture, rose above the level of the populace. What Professor Tavenner says about the *Canidia* poems of Horace is good, but it is not new. As long ago as 1892 I discussed these three poems together in the *Rheinisches Museum* and showed the absolute faithfulness of the poet to the “magic tradition”. I concluded that the series forms a clever parody on actual conditions, a contention which holds good even more if *Canidia*, as Sturtevant (*Class. Rev.* XXVI) seems to me to have proved, was a reality. The mind of Horace, however, is much too complex to be analyzed satisfactorily in the few, rather cavalier, statements of Mr. Tavenner. Certainly C. I, 27, 21 cannot be adduced to show that Horace places magicians and gods on the same level. Here we deal with a well thought-out gradation: the native “wise woman”, the foreign sorcerer, the “*apotropaic*” god; and, of course, Horace is not at all serious in his contention (cp. lines 22–24). A similar misunderstanding is displayed in the statement about *Epis. I, 1, 32–36*. In the first place, it is not at all certain that the words *verba et voces* refer to charming; in the second place, the *libellus* of 37 is by no means a “magic manual”, which one could not possibly read three times, but it is a *βιβλίον* in the sense of the magical papyri, viz., merely a description of a magic action. The mention of the “evil eye” in the letter to the vilicus cannot be tortured into a proof that the poet still believed in the reality of the danger from the *oculus obliquus*, any more than Catullus can be accused of such belief because he speaks of the *nume-*

rare of the *invidiosi*. But the question as to Horace's attitude toward religion, both official and popular, is of far wider scope than can be discussed in the pages of a dissertation.

A peculiar attitude is shown by our author in discussing the *Satyricon* of Petronius. After enumerating a number of instances of "magical" practices, he concludes that because Petronius in no instance utters a word against magic, he was either not altogether free from belief or else he had the good judgment not to mar his picture by the skepticism affected by the upper classes. I doubt whether any but the latter explanation would have occurred to any one who read the masterwork of the greatest Roman storyteller. The sketch of Apuleius, which follows, is decidedly better than anything else in the book. On the other hand, the chapter on the historians is very weak. While his remarks on Varro and Cæsar are sensible, it borders on the childish to charge Livy with a belief in magic because he incorporates in his narrative the stories of Numa drawing Jupiter from the sky, of the *evocatio deorum* (a purely religious rite) and so forth. For Livy merely hands on the tradition which he found in his sources without any attempt to judge of their probability or veracity. No better is the treatment of Tacitus. To ascribe to him a belief in astrology means to misinterpret the two famous passages of the *Annales*, especially the second (VI, 22), in which the historian merely mentions the belief prevalent among the "*plurimi mortalium*", and repeats the specious, but universal argument of the astrologers themselves, but does not take sides either pro or contra.

The most important source for Professor Tavenner's discussion is naturally the *Naturalis Historia* of the Elder Pliny. In analyzing his attitude he follows very closely the arguments of Professor Thorndike (*The Place of Magic in the Intellectual History of Europe*, 1905). Against both these scholars, however, it must be urged that they fail to recognize Pliny's attitude toward the information that he has gathered. After working through the *Natural History* more than once, I believe I may assert that Pliny did not care very much whether his information did or did not admit of proof, but merely whether or not it conformed with his ethical ideal, which may be summed up in the words "*aurea mediocritas*". He attempts nowhere to defend the statements which he quotes from his sources, and everywhere adds a *reservatio mentalis* by using the words *dicunt*, *referunt*, *creditur* and others. To say, as Mr. Tavenner does, in summing up, that the Roman authors as a rule either cherish or unwittingly display the magic heritage of the Italic race is simply asserting the unprovable.

The second part of the dissertation deals with Magic and the Prevention of Disease. This contains a rather extensive collection of materials, without presenting anything essentially

new. Certain statements, however, challenge contradiction. To say that Quid furnishes proof that the early Roman gods practiced magic and to exemplify this by the tale of the magic knot at the birth of Hercules is certainly doing violence to history. The story is Greek from end to end and cannot be converted into genuine Italic by quoting instances of similar practices from Pliny. Nor does the expulsion of the striges by Carna show the goddess as a mere magician. The story has all the earmarks of an etiological tale, to explain a custom of Ovid's time, which may be, and probably is, very ancient, but it does not prove anything about the magical character of Carna. Equally surprising is the attempt to prove the strictly Italic flavor of the miraculous powers of the Marsi by their connection with Circe, who was *not* an Italic goddess. No more can the deification of Febris and perhaps other diseases be claimed as early Roman, except as such phenomena come under the head of the "Sonder- und Augenblicksgoetter of Usener (Goetternamen, chapters 9 and 16).

In general, Mr. Tavenner's discussion of Magic and Disease suffers from a faulty method. He enumerates, without criticism, the multifarious statements of Roman writers. Yet a closer inspection will show that here, as in the case of the Roman poets, we deal with an ever recurring body of traditions. Thus, Celsus's statement about the *pullus hirundinis* (p. 73, n. 45) returns again in Pliny XXX, 33; Marcellus Empiricus VIII, 49=Pl. XXIX, 130; M. E. I, 41 (our *only* amulet for the prevention of headache, Mr. Tavenner says)=Pl. XXIX, 113; M. E. XXIX, 13=Pl. XXVIII, 49; Pseudo.-Pl. II, 38=Pl. XXVIII, 215; Ser. Sam. 1031=Pl. XXVIII, 258. It seems to me that the first duty of a writer on the superstitions of the Romans is to collect *all* the material, to sift it by comparison, to trace it back to its oldest source where possible, before a discussion of the value of the statements can be attempted.

The treatment of the Amulet suffers from the same shortcomings as the whole work. It is not based on a sufficiently wide knowledge of the material. Here, if anywhere, it was absolutely necessary to draw upon the immense stores heaped up in museums and archaeological publications. My own collections, though they are very far from exhaustive, have shown me that it is possible to simplify the treatment of the Amulet and to reduce it to certain basic forms (cp. also my article Amulet in Pauly-Wissowa, which was known to Mr. Tavenner (p. 77, n. 62), and Deubner's discussion in his article Amulet in Hastings). Errors are inevitable, of course, in gathering so large a body of information, but it seems rather strange to find among the "purely Roman" superstitions a passage (Pl. XXVII, 89) for which Pliny himself quotes the authority of Xenocrates. The cure of *struma* (Pl. XXVI, 24) does not con-

tain an amulet to prevent the recurrence of the disease, but the plant sideritis must be kept from falling into the hands of evil-minded sorcerers, who might replant it and thereby cause the recrudescence of the illness. Again in Col. VI, 17, 6 the shrew-mouse is not concealed in the ball of clay for its *anti-pathia*, but its treatment falls under the head of the "horrifying example" to other beasts. Finally, Mr. Tavenner must be said to be rather ingenious in his ferreting out reasons for the potency of things. The wolf is not a courageous beast (Pl. XXVIII, 257). But since this feature of the dissertation has been well discussed by Prof. Pease in his review (Class. Weekly X, 207), I will not dwell on it in this place.

It remains to say a word about the Selected Bibliography at the end. This contains a rather formidable number of titles for a dissertation and it is sometimes difficult to see their bearing on the subject of the work. Some of them are obsolete: Baring-Gould's *Were-Wolves* is of little value after K. F. Smith's investigations; the same holds good of Blumler's *Amulets* compared with Kropatschek. Others cannot have been of much use: the *Companion to Latin Studies*, Kiesewetter's *Occultismus*, Story's *Castle St. Angelo* and the *Evil Eye* do not help much in a specialized investigation. One would like to see others that are omitted. Dieterich's *Nekyia*, Seeligmann's *Boeser Blick*, Trumbull's *Threshold and Blood Covenant*, Roscher's articles on the seven and the nine in religion are some of the more important works apparently unknown to the author, while Kroll is represented only by his popular lecture on *Aberglaube*, but not by his *Chaldaic Oracles*.

Yet, in spite of all that I have said, we ought to welcome with good wishes any new worker in a field that has only too willingly been left by the classicist to the anthropologist and the dilettante. Here, more perhaps than anywhere else, does Usener's word hold good (*Philologie und Geschichtswissenschaft*) that only the strictest philological method can produce lasting results. We hope that with growing experience Professor Tavenner will give us other and more satisfactory investigations of a most promising subject.

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The Prosecution of Jesus: Its Date, History and Legality.

By RICHARD WELLINGTON HUSBAND. Princeton University Press, 1916. 302 pp. \$1.50 net.

Hitherto the trial of Jesus has been studied largely from the viewpoint of Jewish criminal law. Roman procedure, if considered at all, has been that of the courts at Rome. The